

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

ANTOINE B. GAGE,

Plaintiff,

vs.

IHOP,

Defendant.

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No. 4:14-cv-00329-SWW

ORDER

By Order entered June 5, 2014 [doc.#7], the Court informed plaintiff that he is required to be familiar and comply with all the Federal Rules of Civil Procedure as well as the Local Rules of this Court and that failure to so comply can result in dismissal of his claim.¹ The order was sent to plaintiff by regular and certified mail. However, the certified mail was returned to the Court as undeliverable. See Doc.#9. Because the Court requires that certified mail from the Court to a pro se plaintiff be claimed and it is not clear if plaintiff received the order that was sent by regular mail, the Court directs that within thirty (30) days of the date of entry of this order, plaintiff file a document in which he confirms that he understands he is required to be familiar and comply with all the Federal Rules of Civil Procedure as

¹ The Court further informed plaintiff that the Federal Rules of Civil Procedure are available in many libraries and bookstores, that the Local Rules can be obtained from the Clerk of the Court for the Eastern District of Arkansas, and that said rules may be accessed from the internet website of the United States District Court for the Eastern District of Arkansas.

well as the Local Rules of this Court and that failure to so comply can result in dismissal of plaintiff's claim. Should plaintiff not comply with this order, his complaint will be dismissed without prejudice. See Local Rule 5.5(c)(2).²

The Clerk of Court is directed to serve this order on plaintiff by both regular and certified mail, return receipt requested.

IT IS SO ORDERED this 19th day of June 2014.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE

² Local Rule 5.5(c)(2) provides: "Parties appearing *pro se*. It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. A party appearing for himself/herself shall sign his/her pleadings and state his/her address, zip code, and telephone number. If any communication from the Court to a *pro se* plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. Any party proceeding *pro se* shall be expected to be familiar with and follow the Federal Rules of Civil Procedure." See also *Lindstedt v. City of Granby*, 238 F.3d 933, 937 (8th Cir. 2000) (per curiam) (*pro se* litigant is bound by same litigation rules as lawyers).